

FILED

APR 15 2019

UNITED STATES BANKRUPTCY COURT
SAN FRANCISCO, CA

Mission Constructors
2235 Palou Ave
San Francisco, CA 94124
415-282-8453
CLAIMANT

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE:

PACIFIC GAS & ELECTRIC,
Debtor

Case No.19-30088 DM

Chapter 11

NOTICE OF PERFECTION OF
LIEN PURSUANT TO SECTION 11
U.S.C. §546(B)(2)(B)

COMES NOW MISSION CONSTRUCTORS, INC. (hereinafter Mission) and files this Notice pursuant to 11 U.S.C. §546(b) of the perfection, maintenance or continuation of perfection of lien against the Debtor's interest in property as provided by the Law of the State of California for Private Works of Improvement.

1. Basis of Claim: Mission furnished goods, materials, supplies, machinery, equipment and labor under written contracts with the Debtor in connection with Debtor's business operations in the San Francisco and San Jose geographic areas for which Mission has not been paid for the work prior to the filing of bankruptcy by Debtor. The amounts due and owing to Mission in connection with Debtor's trade account for the work is not less than the sum of \$101,989.34 exclusive of contractual interest, attorneys' fees and costs. Mission's claim is secured by a Statutory lien described below.

2. California Lien Claim. Mission timely filed the below described Stop Novice against the funds in the possession of Debtor as of the date of filing the above

1 proceeding. Said claim attaches pursuant to California Civil Code Sections 8500 as
2 follows: "The rights of all persons furnishing work for any work of improvement, with
3 respect to any fund for payment of construction costs, are governed exclusively by this
4 chapter, and no person may assert any legal or equitable right with respect to the fund,
5 other than a right created by a written contract between that person and the person holding
6 the fund, except pursuant to the provisions of this chapter.

7 Further, enforcement of the Stop Notice is governed by California Civil Code
8 Sections 8550 et seq. as follows: "(a) A claimant shall commence an action to enforce
9 payment of the claim stated in a stop payment notice at any time after 20 days from the
10 date the claimant gives the stop payment notice. (b) A claimant shall commence an action
11 to enforce payment of the claim stated in a stop payment notice at any time after 20 days
12 from the date the claimant gives the stop payment notice. (c) An action under this
13 section may not be brought to trial or judgment entered before expiration of the time
14 provided in subdivision (b). . . ."

15 3. Notice. Mission may be required under applicable state law to file suit or take
16 further actions to (i) perfect, maintain or continue perfection of its lien rights in the funds.
17 Mission hereby gives notice in lieu of commencement of such actions to perfect, maintain
18 or continue perfection of Missions interest in the Subject Property pursuant to 11 U.S.C.
19 §546(b), including but not limited to the filing of a lawsuit to enforce and/or foreclose the
20 Subject Stop Notice. By virtue of this notice and applicable federal and state law,
21 Mission demands adequate protection of its interests in the Subject property.

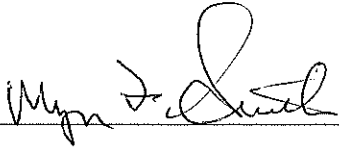
22 4. Additional Information is Available Upon Request. Any party interest may
23 obtain a copy of the Subject Stop Notice by contacting: Mission Constructors, Inc. 2235
24 Palou Ave, San Francisco, CA 94124.

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1 5. Reservation of Rights. Mission reserves the right to supplement and/or amend
2 this Notice under applicable federal or state law or as permitted by Order of this Court.

3 Respectfully submitted,

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7 Myron Smith, Asst. Sec.
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